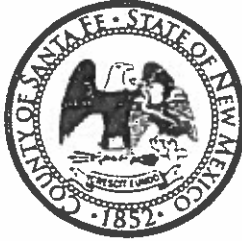


Henry P. Roybal
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4


Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

DATE: *December 8th, 2015*

TO: *Board of County Commissioners*

FROM: *Carole Jaramillo, Finance Director* 

VIA: *Katherine Miller, County Manager*

ITEM AND ISSUE: *Resolution 2015-_____, A RESOLUTION REALLOCATING PROCEEDS FROM SANTA FE COUNTY'S GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2013 FROM WATER AND WASTEWATER PROJECTS TO ROADS WITHIN THE COUNTY IN COMPLIANCE WITH VOTER APPROVED PROJECT LIMITS (Finance Division / Carole Jaramillo)*

SUMMARY:

Santa Fe County has determined an immediate use for previously allocated Series 2013 bond proceeds for roads, rather than water and wastewater projects. The reason for the reallocation is to commence road construction during favorable weather conditions during Spring of 2016. Reallocating the funds to roads is in compliance with voter approved project limits.

BACKGROUND:

In November 2012, voters approved the issuance of \$35,000,000 of general obligation bonds for the following purposes; \$19,000,000 to acquire, construct, design, equip, and improve roads within the County; \$10,000,000 to acquire real property and necessary water rights for, and to construct, design, equip, rehabilitate, and improve water and wastewater projects within the County; and \$6,000,000 to acquire, design, construct, improve, equip and restore open space, trails and parks within the County.

The table below indicates the amounts issued and previously allocated for the voter approved projects;

Purpose	Amount Allocated from Series 2013	Amount Allocated in Series 2015	Total Amount Allocated
to acquire, construct, design and equip roads within the County	\$10,400,000	\$3,400,000	\$13,800,000
to acquire real property and necessary water rights for, and construct, design, equip, rehabilitate, and improve water and wastewater projects within the County	\$5,600,000	\$2,600,000	\$8,200,000
to acquire, design, construct, improve, equip, and restore open space, trails, and parks within the County	\$3,000,000	\$2,000,000	\$5,000,000

The County will reallocate funds in the amount \$1,231,000 from water and wastewater projects to roads. The table below indicates the amounts once reallocation is approved;

Purpose	Amount Allocated from Series 2013	Amount Allocated in Series 2015	Total Amount Allocated
to acquire, construct, design and equip roads within the County	\$10,400,000	\$3,400,000	\$15,031,000
to acquire real property and necessary water rights for, and construct, design, equip, rehabilitate, and improve water and wastewater projects within the County	\$5,600,000	\$2,600,000	\$6,969,000

to acquire, design, construct, improve, equip, and restore open space, trails, and parks within the County	\$3,000,000	\$2,000,000	\$5,000,000
--	-------------	-------------	-------------

Specifically, the \$1,231,000 allocated for Quill Plant will be allocated for Pinon Hills and Puesta del Sol road projects. The last \$8,000,000 of the \$35,000,000 of general obligation bonds will provide the \$1,231,000 reallocated from Quill Plant.

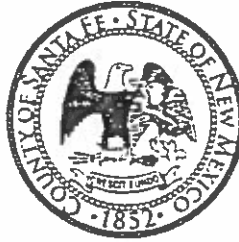
ACTION REQUESTED:

Approve the requested reallocation of bond proceeds.

Henry P. Roybal
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

DATE: December 8th, 2015

TO: Board of County Commissioners

FROM: Carole Jaramillo, Finance Director *CJ*

VIA: Katherine Miller, County Manager
Michael Kelley, Public Works Director
Erik Aaboe, Public Works Business Manager

ITEM AND ISSUE: Resolution 2015-_____, A Resolution Requesting a Budget Increase to the 2013 GOB Fund (351) And Capital Outlay GRT Fund (313) From Cash Carryover And an Increase to the State Special Appropriation Fund (318) And Corresponding Decrease to the Water Enterprise Fund (505) For an Overall Budget Increase For Various Capital Projects / \$108,201. (Finance Division / Carole Jaramillo)

SUMMARY:

Staff is requesting a budget adjustment that affects the following funds: Series 2013 GO bonds (351); State Appropriation (318); Enterprise Water Fund (505), Capital Outlay (313)

BACKGROUND:

- **Budget adjustment impacting Fund 351** - Staff is requesting to use Series 2013 bond proceeds for road projects rather than water and wastewater projects. Specifically, \$1.231M will be moved from Quill Plant (1473) cost center to Pinon Hills (0666) and Puesta del Sol (6218) road projects. The transfer will allow Public Works to begin working on the road projects during optimal road construction conditions.
- **Budget adjustment impacting Fund 351** - Staff is requesting to use savings from various projects including Spruce (6206) and Rancho Alegre (6209) projects for the Cerrillos Village (6219) road project.
- **Budget adjustment impacting Fund 351** - Staff is requesting that \$50,000 of the \$405,000 allocated in the 2013 Bond sale be budgeted in the FY16 budget to hire an engineering firm to design the improvements for Torcido Loop (6183). The project was stalled due to the inability to obtain easements and therefore the funds were not budgeted

in the FY16 budget. The residents have now agreed to provide the easements and therefore the project is able to move forward.

- **Budget adjustment impacting Funds 318 & 505** - Staff is requesting to budget State Appropriations from the Utilities Fund (505) to the State Appropriation Fund (318) for better tracking purposes.
- **Budget adjustment impacting Funds 313** - Staff discovered an error in a reclassification of expenditure which inadvertently reduced the budget for the Agua Fria Park Improvements. The request corrects the budget reduction while maintaining allocation requirements for Agua Fria Park project.

ACTION REQUESTED:

Approve the requested budget adjustment.

SANTA CRUZ COUNTY

Page 1 of 5

RESOLUTION 2015 - _____

A RESOLUTION REQUESTING AUTHORIZATION TO MAKE THE BUDGET ADJUSTMENT DETAILED ON THIS FORM

Whereas, the Board of County Commissioners meeting in regular session on December 8, 2015, did request the following budget adjustment:

Department / Division: Public Works/Project Development Fund Name: GOB Series 2013 Fund (351), State Appropriation (318), Enterprise Water Fund (505), Capital Outlay (313)

Budget Adjustment Type: Budget Increase Fiscal Year: 2016 (July 1, 2015 - June 30, 2016)

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
351	0000	385	0400	Budgeted Cash	\$106,682	
313	0000	385	0400	Budgeted Cash	\$1,519	
TOTAL (if SUBTOTAL, check here X)					108,201	

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/OBJECT XXXX	CATEGORY / LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
351	6183	453	8011	Torcido Loop - Capital Purchases	\$50,000	
351	1473	482	8080	Quill Plant - Capital Purchases		\$ (1,231,000)
351	0666	453	8010	Pinon Hills - Capital Purchases	\$627,000	
351	6218	453	8010	Puesta del Sol - Capital Purchases	\$604,000	
351	6206	453	8010	Spruce Street - Capital Purchases		\$ (31,802)
351	6209	453	8010	Rancho Alegre - Capital Purchases	\$115,000	\$ (26,516)
351	6219	453	8010	Cerrillos Village Capital Purchases		
TOTAL (if SUBTOTAL, check here X)					1,396,000	\$ (1,289,318)

Requesting Department Approval: Public Works: Erik Anboe Title: PW Finance Manager Date: _____

Finance Department Approval: Cecilia Juarez Date: 11/24/15 Entered by: _____ Date: _____

County Manager Approval: _____ Date: _____ Updated by: _____ Date: _____

SANTA FE COUNTY

Page 2 of 5

RESOLUTION 2015 - _____

BUDGET ADJUSTMENT CONTINUATION SHEET

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
505	1444	385	0000	Agua Fria Utility Plan - Budgeted Cash		\$(80,000)
318	1444	371	1400	Agua Fria Utility Plan - Grant Appropriation	\$80,000	
505	1489	370	0000	Vista Aurora Sewer - Grant Appropriation		\$(70,000)
318	1489	371	1400	Vista Aurora Sewer - Grant Appropriation	\$70,000	
505	1477	370	0000	Chupadero MDWCA - Grant Appropriation		\$(100,000)
318	1477	371	1400	Chupadero MDWCA - Grant Appropriation	\$100,000	
TOTAL (if SUBTOTAL, check here X)					\$250,000	\$(250,000)
TOTAL REVENUE CHANGE					\$108,201	

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	CATEGORY / LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
505	1444	482	8011	Agua Fria Utility Plan - Capitalized Svcs.		\$(80,000)
318	1444	482	8011	Agua Fria Utility Plan - Capitalized Svcs.	\$80,000	
505	1489	482	8011	Vista Aurora Sewer - Capitalized Svcs.		\$(70,000)
318	1489	482	8011	Vista Aurora Sewer - Capitalized Svcs.	\$70,000	
505	1477	482	8011	Chupadero MDWCA - Capitalized Svcs.		\$(100,000)
318	1477	482	8011	Chupadero MDWCA - Capitalized Svcs.	\$100,000	
313	0732	482	8001	Agua Fria Park Improv. - Buildings & Structures	\$1,519	
TOTAL (if SUBTOTAL, check here X)					\$251,519	\$(250,000)
TOTAL EXPENDITURE CHANGE					\$108,201	

SANTA FE COUNTY

RESOLUTION 2015 - _____

Page 3 of 5

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT: Name: Erik Anboe Dept/Div: Public Works/Project Development Phone No.: 995-6209

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 1) Please summarize the request and its purpose.
 - A. Staff is requesting to use Series 2013 bond proceeds for road projects rather than water and wastewater projects. Specifically, \$1.231M will be moved from Quill Plant cost center to Pinon Hills and Puesta del Sol road projects. The reason for requesting the reallocation is the timing with regards to optimal road construction conditions.
 - B. Staff is requesting to use savings from various projects including Spruce and Rancho Alegre projects for the Cerrillos Village road project.
 - C. Staff is requesting that \$50,000 of the \$405,000 allocated in the 2013 Bond sale be budgeted in the FY16 budget to hire an engineering firm to design the improvements. The project was stalled due to the inability to obtain easements and therefore the funds were not budgeted in the FY16 budget. The residents have now agreed to provide the easements and therefore the project is able to move forward.
 - D. Staff is requesting to re-budget State Appropriations from the Utilities Fund (505) to the State Appropriation Fund (318) for better tracking purposes.
 - E. Staff discovered an error in a reclassification of expenditure which inadvertently reduced the budget for the Agua Fria Park Improvements. The request corrects the budget reduction while maintaining allocation requirements for Agua Fria Park project.

a) Employee Actions

Line Item	Action (Add/Delete Position, Reclass, Overtime)	Position Type (permanent, term)	Position Title
NA			

b) Professional Services (50-xx) and Capital Category (80-xx) detail:

Line Item	Detail (what specific things, contracts, or services are being added or deleted)	Amount
8010	Design improvements to Camino Torcido Loop	\$50,000
8011	Road Construction for various projects; Cerrillos Village, Puesta del Sol & Pinon Hills	\$1,346,000
8011	Transfer savings from Spruce and Rancho Alegre	\$(58,318)
8011	Reallocate funds from Quill Plant to road projects	\$(1,231,000)
8001	Buildings & Structures for Agua Fria Park Improvements	\$1,519

SANTA FE COUNTY

Page 4 of 5

RESOLUTION 2015 -

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT:

Name: Erik Anhoe Dept/Div: Public Works/Project Development Phone No.: 995-6209

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 2) Is the budget action for RECURRING expense or for NON-RECURRING (one-time only) expense ☒ X
- 3) Does this request impact a revenue source? If so, please identify (i.e. General Fund, state funds, federal funds, etc.), and address the following:
 - a) If this is a state special appropriation, YES ☒ X NO ☐
 - If YES, cite statute and attach a copy.
 - b) Does this include state or federal funds? YES ☒ X NO ☐
If YES, please cite and attach a copy of statute, if a special appropriation, or include grant name, number, award date and amount, and attach a copy of a award letter and proposed budget.
 - c) Is this request is a result of Commission action? YES ☒ X NO ☐
If YES, please cite and attach a copy of supporting documentation (i.e. Minutes, Resolution, Ordinance, etc.).
 - A. In 2012 the Board received voter approval for the issuance of \$35.M for various projects. In 2015, the Board passed resolution 2015-54 for the 3rd tranche of bonds which references previous allocations for the Series 2013.
 - B. In February of 2015 the Board approved the capital allocations which included Pinon Hills, Puesta del Sol and Cerrillos Village
 - C. In June of 2012 the Board of County Commission approved the Capital Improvement Plan which included \$405,000 in bond funds for Camino Torcido Loop.
 - D. In June 2015 the Board approved the FY2016 budget which had the State Appropriations in fund 505 rather than 318.
 - d) Please identify other funding sources used to match this request.
GRT Fund (313) \$95,000 was authorized through the 2012 CIP.

SANTA FE COUNTY

Page 5 of 5

RESOLUTION 2015 - _____

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County that the Local Government Division of the Department of Finance and Administration is hereby requested to grant authority to adjust budgets as detailed above.

Approved, Adopted, and Passed This _____ Day of _____, 2015.

Santa Fe Board of County Commissioners

Robert A. Anaya, Chairperson

ATTEST:

Geraldine Salazar, County Clerk

Henry P. Roybal
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

To: Board of County Commissioners
From: Gregory S. Shaffer, County Attorney
Via: Katherine Miller, County Manager
Date: November 30, 2015

Re: A Resolution Determining Reasonable Notice for Public Meetings During Calendar Year 2016 of the Board of County Commissioners of Santa Fe County and for Boards and Committees Appointed By or Acting Under the Authority of the Board of County Commissioners; Establishing Permissible Meeting Locations and a Webcast and Broadcast Policy; and Rescinding Parts of Resolution No. 2015-59

Issue: For Calendar Year 2016, the Board of County Commissioners (Board) needs to adopt a resolution determining what constitutes reasonable notice of its public meetings as well as of meetings of boards and committees appointed by or acting under the authority of the Board. The above-referenced resolution does this and gives notices of the Board's regular meetings in 2016.

Background: The Open Meetings Act, NMSA 1978, Chapter 10, Article 15, requires the Board to annually determine what constitutes reasonable notice of its meetings. The Board does so by resolution, which also establishes the meeting dates and times for regular meeting of the Board for the period covered by the resolution.

The above-referenced resolution is the required resolution for calendar year 2016. There are no substantive differences concerning what constitutes reasonable notice between the proposed resolution and the Board's current Open Meetings Act resolution for calendar year 2015, Resolution No. 2015-59.

The above-referenced resolution would be effective on January 1, 2016. It would also rescind Resolution No. 2015-59, except the part of that resolution that rescinded a previous Open Meetings Act resolution.

Recommendation: Approve the subject resolution, so as to comply with the Open Meetings Act and give notice of the Board's 2016 regular meetings.

Attachments:

Exhibit A – Proposed Resolution

Exhibit B – Resolution No. 2015-59

**THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY, NEW MEXICO**

RESOLUTION NO. 2015-_____

**A RESOLUTION
DETERMINING REASONABLE NOTICE FOR PUBLIC MEETINGS DURING
CALENDAR YEAR 2016 OF THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY AND FOR BOARDS AND COMMITTEES APPOINTED BY OR
ACTING UNDER THE AUTHORITY OF THE BOARD OF COUNTY
COMMISSIONERS; ESTABLISHING PERMISSIBLE MEETING LOCATIONS AND A
WEBCAST AND BROADCAST POLICY; AND RESCINDING PARTS OF
RESOLUTION NO. 2015-59**

WHEREAS, the Open Meetings Act, NMSA 1978, Chapter 10, Article 15 (hereinafter referred to as "the Act") provides that "[a]ll meetings of a quorum of members of any board, commission, administrative adjudicatory body or other policymaking body of . . . any county, . . . held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations or ordinances, discussing public business or taking any action within the authority of or the delegated authority of any board, commission or other policymaking body are declared to be public meetings open to the public at all times, except as otherwise provided in the constitution of New Mexico or the [Act]" (NMSA 1978, Section 10-15-1(B) (2013));

WHEREAS, the Act further provides that "[a]ny meetings at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs and at which a majority or quorum of the body is in attendance, and any closed meetings, shall be held only after reasonable notice to the public" (NMSA 1978, Section 10-15-1(D));

WHEREAS, the Act further requires a public body to "determine at least annually in a public meeting what notice for a public meeting is reasonable when applied to that body" (NMSA 1978, Section 10-15-1(D)); and

WHEREAS, for calendar year 2016, the Board of County Commissioners of Santa Fe County (hereinafter referred to as "the Board") desires to determine what constitutes reasonable notice to the public of its meetings and for meetings of boards and committees appointed by or acting under the authority of the Board, as required by the Act, and to otherwise specify important elements of its continuing compliance with the Act, establish permissible meeting locations, and establish a policy concerning the webcasting and broadcasting of meetings.

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF AS
FOLLOWS:**

1. Regular Meetings.

A. Board Meetings.

i. Time and Place; Schedule for Calendar Year 2016. From January 1, 2016, through December 31, 2016, regular meetings of the Board will be held beginning at 2:00 p.m. on the second and last Tuesday of each month, except that there will be only one Board

meeting in December, on December 13, 2016. A copy of the complete calendar of regular meetings of the Board for calendar year 2016 is attached to this resolution as Appendix 1.

ii. Notice. This Resolution and Appendix 1 shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building. So long as the meetings are held on the days and times and at the location specified in Appendix 1, posting of this Resolution and Appendix 1 shall constitute reasonable and appropriate notice of each regular meeting of the Board.

iii. Notice of Rescheduled Regular Meeting. If a regular meeting is rescheduled from the date, time, or location specified in Appendix 1, notice of the rescheduled meeting shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least ten (10) days prior to the date of the meeting.

iv. Notice to Radio, Television and Print Media. Notice of a regular meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such Notice.

B. Other Meetings Requiring Notice.

i. Time and Place. A regular meeting of a board or committee appointed by or acting under the authority of the Board shall be held at a time and place to be specified in the resolution creating such board or committee or, if not specified, upon a decision of the board or committee.

ii. Notice, Annual Schedule. Notice of a regular meeting of each board or committee shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least ten (10) days before such meeting. Alternatively, a regular meeting schedule of a board or committee may be developed for calendar year 2016 and posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building; if so posted and so long as meetings are held on the days and times and at the location specified, posting of the annual meeting schedule shall constitute reasonable and appropriate notice of each regular meeting of the board or committee.

iii. Notice of Rescheduled Regular Meeting. If a regular meeting is rescheduled from the date, time, or location specified on the annual schedule, notice of the rescheduled meeting shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least ten (10) days prior to the date of the meeting.

iv. Notice to Radio, Television and Print Media. Notice of a regular meeting of a board or committee shall also be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notices.

2. Special Meetings.

A. When Held. A special meeting of the Board may be called by the Chair or by a majority of the members of the Board at such time and place as the Chair or a majority of the members of the Board deem appropriate. A special meeting of a board or committee appointed by or acting under the authority of the Board may be called by the chair of that board or committee or by a majority of the members of that board or committee at such time or place as

the chair of that board or committee or a majority of members of the board or committee deem appropriate.

B. Notice of Special Meeting. Notice of a special meeting shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least three (3) days before such meeting.

C. Notice to Radio, Television and Print Media. Notice of a special meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notice.

3. Emergency Meetings.

A. Board Emergency Meeting, When, Where Held. An emergency meeting of the Board may be called by the Chair or by a majority of the members of the Board to consider unforeseen circumstances that, if not addressed immediately, will likely result in injury or damage to persons or property or substantial financial loss to the County. An emergency meeting may be conducted at a time and place as the Chair or a majority of the members of the Board deem appropriate.

B. Board or Committee Emergency Meetings, When, Where Held. An emergency meeting of a board or committee appointed by or acting under the authority of the Board may be called by the chair of that board or committee or by a majority of the members of that board or committee to consider unforeseen circumstances that, if not addressed immediately, will likely result in injury or damage to persons or property or substantial financial loss to the County, to be held at such time or place as the chair of that board or committee or a majority of members of the board or committee deem appropriate.

C. Notice. If possible given the emergency circumstances, notice of an emergency meeting shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least twenty-four (24) hours prior to the meeting. If twenty-four (24) hours advance notice cannot be given, notice shall be posted as soon as possible.

D. Notice to Radio, Television and Print Media. Notice of an emergency meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notice.

E. Required Report. Any action taken at an emergency meeting shall be reported to the Attorney General's Office as described in paragraph 4 of this Resolution.

4. Agendas. Meeting notices shall include an agenda containing a list of specific items of business to be discussed or transacted at the meeting or information on how the public may obtain a copy of such an agenda. If not included in the notice of meeting, a final agenda shall be prepared and posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building and on the County's internet web site at least seventy-two (72) hours before the meeting. Except for emergency matters, action shall be taken only on items appearing on the final agenda. An "emergency" refers to "unforeseen circumstances that, if not addressed immediately by the public body, will likely result in injury or damage to persons or property or substantial loss to the public body." NMSA 1978, Section 10-15-1(F). Within ten (10) days of taking action on an emergency matter, the County shall report to the Attorney General's Office

the action taken and the circumstances creating the emergency, except in the event of a declared state or federal emergency.

5. **Recessed Meetings.** A meeting may be recessed to a later day, if, prior to recessing, the date, time and place for continuation of the meeting is specified, and, immediately following the recessed meeting, notice of the date, time and place for the reconvened meeting is posted on or near the door of the place where the original meeting was held. Only matters appearing on the agenda of the original meeting may be discussed at the reconvened meeting unless notice of the reconvened meeting is provided as otherwise set forth herein.

6. **Cancelled Meetings.** A meeting may be cancelled by posting a notice of cancellation in a conspicuous and appropriate place at the Santa Fe County Administrative Building and posting notices of the cancelled meeting on the doors of the building where the meeting was to be held as soon as practicable prior to the time and date of the cancelled meeting.

7. **Participation by Conference Telephone.** A member of the Board may participate in a meeting of the Board by means of conference telephone or other similar communications equipment when it is difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member of the Board who speaks, during the meeting.

8. **Closed Meetings.** A meeting may be closed in the following manner:

A. If the Board or board or committee appointed by or acting under the authority of the Board is in an open meeting when a closed meeting is desired and authorized by the Act, then the closed meeting shall be approved on motion by a majority of a quorum of the Board, or committee and the authority for the closure shall be stated in the motion. The votes of the members on the motion shall be recorded in the minutes.

B. If the Board or committee appointed by or acting under the authority of the Board is not in a public meeting and a closed meeting is desired and authorized, public notice of the closed meeting, appropriate under the circumstances, shall be given stating the authority for the closure.

C. Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state that the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

9. **Application to County Boards, Committees.** This Resolution shall apply to each meeting of a board or committee whose members are appointed by the Board or which is acting under the authority of the Board, except the Extraterritorial Land Use Authority, the Extraterritorial Land Use Commission, the Buckman Direct Diversion Board, the Regional Planning Authority, the Regional Emergency Communications Committee, the Northern Central Regional Transit District, and the Solid Waste Management Authority.

10. Definitions.

A. "Board." For purposes of this Resolution, Board means the Board of County Commissioners of Santa Fe County.

B. "Meeting." For purposes of this Resolution, the term "meeting" shall be defined as a meeting of a quorum of the members of the Board and each meeting of a board or committee whose members are appointed by the Board held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations or ordinances, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of the Board or board or committee whose members are appointed by the Board.

C. "Santa Fe County Administrative Building." For purposes of this Resolution, the term "Santa Fe County Administrative Building" means 102 Grant Avenue Santa Fe NM 87501.

11. Meeting Locations. Pursuant to NMSA 1978, Section 4-38-8 (1981), Board meetings shall be held in the City of Santa Fe, except that meetings concerning matters of local interest only may be held in the community affected. All Board meetings shall be held in a public building owned by the State, County, or public schools.

12. Webcasting and Broadcasting. Unless it is impracticable or impossible to do so, Board meetings shall be webcast live on the County's internet site and broadcast live on local radio and television stations. In addition, video recordings of Board meetings shall be made available on the County's internet site.

13. Parts of Prior Resolution Rescinded. Resolution No. 2015-59, except for Paragraph 13 of that resolution, is hereby rescinded.

14. Effective Date. This Resolution shall become effective on January 1, 2016.

PASSED, APPROVED, AND ADOPTED this 8th day of December, 2015.

**THE BOARD OF COUNTY
COMMISSIONERS OF SANTA FE COUNTY**

Robert A. Anaya, Chair

ATTEST:

Geraldine Salazar, County Clerk

APPROVED AS TO FORM:

Gregory S. Shaffer, County Attorney

APPENDIX 1

NOTICE OF REGULAR MEETINGS OF THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY TO BE HELD FROM JANUARY 1, 2016, TO DECEMBER 31, 2016, IN THE COMMISSION CHAMBERS ON THE SECOND FLOOR OF THE SANTA FE COUNTY ADMINISTRATIVE BUILDING LOCATED AT 102 GRANT AVENUE SANTA FE NM 87501

January 12, 2016	2:00 PM
January 26, 2016	2:00 PM
February 9, 2016	2:00 PM
February 23, 2016	2:00 PM
March 8, 2016	2:00 PM
March 29, 2016	2:00 PM
April 12, 2016	2:00 PM
April 26, 2016	2:00 PM
May 10, 2016	2:00 PM
May 31, 2016	2:00 PM
June 14, 2016	2:00 PM
June 28, 2016	2:00 PM
July 12, 2016	2:00 PM
July 26, 2016	2:00 PM
August 9, 2016	2:00 PM
August 30, 2016	2:00 PM
September 13, 2016	2:00 PM
September 27, 2016	2:00 PM
October 11, 2016	2:00 PM
October 25, 2016	2:00 PM
November 8, 2016	2:00 PM
November 29, 2016	2:00 PM
December 13, 2016	2:00 PM

Final agendas for these meetings shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building located at 102 Grant Avenue Santa Fe NM 87501 and on the County's internet web site at least seventy-two (72) hours before the meeting.

THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY, NEW MEXICO

RESOLUTION NO. 2015- 59

**A RESOLUTION
DETERMINING REASONABLE NOTICE FOR PUBLIC MEETINGS DURING MAY
THROUGH DECEMBER, 2015, OF THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY AND FOR BOARDS AND COMMITTEES APPOINTED BY OR
ACTING UNDER THE AUTHORITY OF THE BOARD OF COUNTY
COMMISSIONERS; ESTABLISHING PERMISSIBLE MEETING LOCATIONS AND A
WEBCAST AND BROADCAST POLICY; AND RESCINDING PARTS OF
RESOLUTION NO. 2014-137**

WHEREAS, the Open Meetings Act, NMSA 1978, Chapter 10, Article 15 (hereinafter referred to as "the Act") provides that "[a]ll meetings of a quorum of members of any board, commission, administrative adjudicatory body or other policymaking body of . . . any county, . . . held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations or ordinances, discussing public business or taking any action within the authority of or the delegated authority of any board, commission or other policymaking body are declared to be public meetings open to the public at all times, except as otherwise provided in the constitution of New Mexico or the [Act]" (NMSA 1978, Section 10-15-1(B) (2013));

WHEREAS, the Act further provides that "[a]ny meetings at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs and at which a majority or quorum of the body is in attendance, and any closed meetings, shall be held only after reasonable notice to the public" (NMSA 1978, Section 10-15-1(D));

WHEREAS, the Act further requires a public body to "determine at least annually in a public meeting what notice for a public meeting is reasonable when applied to that body" (NMSA 1978, Section 10-15-1(D)); and

WHEREAS, for the remainder of calendar year 2015, the Board of County Commissioners of Santa Fe County (hereinafter referred to as "the Board") desires to determine what constitutes reasonable notice to the public of its meetings and for meetings of boards and committees appointed by or acting under the authority of the Board, as required by the Act, and to otherwise specify important elements of its continuing compliance with the Act, establish permissible meeting locations, and establish a policy concerning the webcasting and broadcasting of meetings.

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF
COUNTY COMMISSIONERS OF SANTA FE COUNTY AS FOLLOWS:**

1. Regular Meetings.

A. Board Meetings.

i. Time and Place; Schedule for May 1, 2015, to December 31, 2015.

From May 1, 2015, through December 31, 2015, regular meetings of the Board will be held

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beginning at 2:00 p.m. on the second and last Tuesday of each month, except that (i) the second Board meeting in June shall be held on June 23, 2015, and (ii) there will be only one Board meeting in December, on December 8, 2015. A copy of the complete calendar of regular meetings of the Board for May 1, 2015, through December 31, 2015, is attached to this resolution as Appendix 1.

ii. Notice. This Resolution and Appendix 1 shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building. So long as the meetings are held on the days and times and at the location specified in Appendix 1, posting of this Resolution and Appendix 1 shall constitute reasonable and appropriate notice of each regular meeting of the Board.

iii. Notice of Rescheduled Regular Meeting. If a regular meeting is rescheduled from the date, time, or location specified in Appendix 1, notice of the rescheduled meeting shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least ten (10) days prior to the date of the meeting.

iv. Notice to Radio, Television and Print Media. Notice of a regular meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such Notice.

B. Other Meetings Requiring Notice.

i. Time and Place. A regular meeting of a board or committee appointed by or acting under the authority of the Board shall be held at a time and place to be specified in the resolution creating such board or committee or, if not specified, upon a decision of the board or committee.

ii. Notice, Annual Schedule. Notice of a regular meeting of each board or committee shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least ten (10) days before such meeting. Alternatively, a regular meeting schedule of a board or committee may be developed for calendar year 2015 and posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building; if so posted and so long as meetings are held on the days and times and at the location specified, posting of the annual meeting schedule shall constitute reasonable and appropriate notice of each regular meeting of the board or committee.

iii. Notice of Rescheduled Regular Meeting. If a regular meeting is rescheduled from the date, time, or location specified on the annual schedule, notice of the rescheduled meeting shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least ten (10) days prior to the date of the meeting.

iv. Notice to Radio, Television and Print Media. Notice of a regular meeting of a board or committee shall also be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notices.

2. Special Meetings.

A. When Held. A special meeting of the Board may be called by the Chair or by a majority of the members of the Board at such time and place as the Chair or a majority of the

members of the Board deem appropriate. A special meeting of a board or committee appointed by or acting under the authority of the Board may be called by the chair of that board or committee or by a majority of the members of that board or committee at such time or place as the chair of that board or committee or a majority of members of the board or committee deem appropriate.

B. Notice of Special Meeting. Notice of a special meeting shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least three (3) days before such meeting.

C. Notice to Radio, Television and Print Media. Notice of a special meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notice.

3. Emergency Meetings.

A. Board Emergency Meeting, When, Where Held. An emergency meeting of the Board may be called by the Chair or by a majority of the members of the Board to consider unforeseen circumstances that, if not addressed immediately, will likely result in injury or damage to persons or property or substantial financial loss to the County. An emergency meeting may be conducted at a time and place as the Chair or a majority of the members of the Board deem appropriate.

B. Board or Committee, When, Where Held. An emergency meeting of a board or committee appointed by or acting under the authority of the Board may be called by the chair of that board or committee or by a majority of the members of that board or committee to consider unforeseen circumstances that, if not addressed immediately, will likely result in injury or damage to persons or property or substantial financial loss to the County, to be held at such time or place as the chair of that board or committee or a majority of members of the board or committee deem appropriate.

C. Notice. If possible given the emergency circumstances, notice of an emergency meeting shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least twenty-four (24) hours prior to the meeting. If twenty-four (24) hours advance notice cannot be given, notice shall be posted as soon as possible.

D. Notice to Radio, Television and Print Media. Notice of an emergency meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notice.

E. Required Report. Any action taken at an emergency meeting shall be reported to the Attorney General's Office as described in paragraph 4 of this Resolution.

4. Agendas. Meeting notices shall include an agenda containing a list of specific items of business to be discussed or transacted at the meeting or information on how the public may obtain a copy of such an agenda. If not included in the notice of meeting, a final agenda shall be prepared and posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building and on the County's internet web site at least seventy-two (72) hours before the meeting. Except for emergency matters, action shall be taken only on items appearing on the final agenda. An "emergency" refers to "unforeseen circumstances that, if not addressed immediately by the public body, will likely result in injury or damage to persons or property or

substantial loss to the public body." NMSA 1978, Section 10-15-1(F). Within ten (10) days of taking action on an emergency matter, the County shall report to the Attorney General's Office the action taken and the circumstances creating the emergency, except in the event of a declared state or federal emergency.

5. **Recessed Meetings.** A meeting may be recessed to a later day, if, prior to recessing, the date, time and place for continuation of the meeting is specified, and, immediately following the recessed meeting, notice of the date, time and place for the reconvened meeting is posted on or near the door of the place where the original meeting was held. Only matters appearing on the agenda of the original meeting may be discussed at the reconvened meeting unless notice of the reconvened meeting is provided as otherwise set forth herein.

6. **Cancelled Meetings.** A meeting may be cancelled by posting a notice of cancellation in a conspicuous and appropriate place at the Santa Fe County Administrative Building and posting notices of the cancelled meeting on the doors of the building where the meeting was to be held as soon as practicable prior to the time and date of the cancelled meeting.

7. **Participation by Conference Telephone.** A member of the Board may participate in a meeting of the Board by means of conference telephone or other similar communications equipment when it is difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member of the Board who speaks, during the meeting.

8. **Closed Meetings.** A meeting may be closed in the following manner:

A. If the Board or board or committee appointed by or acting under the authority of the Board is in an open meeting when a closed meeting is desired and authorized by the Act, then the closed meeting shall be approved on motion by a majority of a quorum of the Board, or committee and the authority for the closure shall be stated in the motion. The votes of the members on the motion shall be recorded in the minutes.

B. If the Board or committee appointed by or acting under the authority of the Board is not in a public meeting and a closed meeting is desired and authorized, public notice of the closed meeting, appropriate under the circumstances, shall be given stating the authority for the closure.

C. Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state that the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

9. **Application to County Boards, Committees.** This Resolution shall apply to each meeting of a board or committee whose members are appointed by the Board or which is acting under the authority of the Board, except the Extraterritorial Land Use Authority, the Extraterritorial Land Use Commission, the Buckman Direct Diversion Board, the Regional Planning Authority, the Regional Emergency Communications Committee, the Northern Central Regional Transit District, and the Solid Waste Management Authority.

10. Definitions.

A. "Board." For purposes of this Resolution, Board means the Board of County Commissioners of Santa Fe County.

B. "Meeting." For purposes of this Resolution, the term "meeting" shall be defined as a meeting of a quorum of the members of the Board and each meeting of a board or committee whose members are appointed by the Board held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations or ordinances, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of the Board or board or committee whose members are appointed by the Board.

C. "Santa Fe County Administrative Building." For purposes of this Resolution, the term "Santa Fe County Administrative Building" means 102 Grant Avenue Santa Fe NM 87501.

11. **Meeting Locations.** Pursuant to NMSA 1978, Section 4-38-8 (1981), Board meetings shall be held in the City of Santa Fe, except that meetings concerning matters of local interest only may be held in the community affected. All Board meetings shall be held in a public building owned by the State, County, or public schools.

12. **Webcasting and Broadcasting.** Unless it is impracticable or impossible to do so, Board meetings shall be webcast live on the County's internet site and broadcast live on local radio and television stations. In addition, video recordings of Board meetings shall be made available on the County's internet site.

13. **Parts of Prior Resolution Rescinded.** Resolution No. 2014-137, except for Paragraph 13 of that resolution, is hereby rescinded.

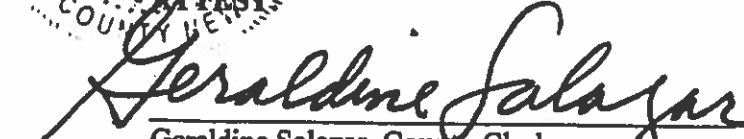
14. **Effective Date.** This Resolution shall become effective on April 28, 2015.

APPROVED AND ADOPTED this 28th day of April, 2015.

**THE BOARD OF COUNTY
COMMISSIONERS OF SANTA FE COUNTY**


Robert A. Anaya, Chair




Geraldine Salazar, County Clerk

4-28-2015

APPROVED AS TO FORM:


Gregory S. Shaffer, County Attorney

APPENDIX 1

NOTICE OF REGULAR MEETINGS OF THE BOARD OF COUNTY
COMMISSIONERS OF SANTA FE COUNTY TO BE HELD FROM MAY 1, 2015, TO
DECEMBER 31, 2015, IN THE COMMISSION CHAMBERS ON THE SECOND FLOOR
OF THE SANTA FE COUNTY ADMINISTRATIVE BUILDING
LOCATED AT 102 GRANT AVENUE SANTA FE NM 87501

May 12, 2015	2:00 PM
May 26, 2015	2:00 PM
June 9, 2015	2:00 PM
June 23, 2015	2:00 PM
July 14, 2015	2:00 PM
July 28, 2015	2:00 PM
August 11, 2015	2:00 PM
August 25, 2015	2:00 PM
September 8, 2015	2:00 PM
September 29, 2015	2:00 PM
October 13, 2015	2:00 PM
October 27, 2015	2:00 PM
November 10, 2015	2:00 PM
November 24, 2015	2:00 PM
December 8, 2015	2:00 PM

Final agendas for these meetings shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building located at 102 Grant Avenue Santa Fe NM 87501 and on the County's internet web site at least seventy-two (72) hours before the meeting.

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COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC RESOLUTIONS
PAGES: 6

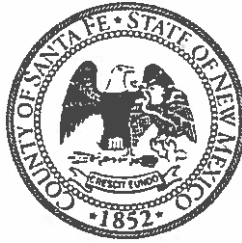
I Hereby Certify That This Instrument Was Filed for
Record On The 29TH Day Of April, 2015 at 02:21:57 PM
And Was Duly Recorded as Instrument # 1763060
Of The Records Of Santa Fe County

Deputy *[Signature]* Witness My Hand And Seal Of Office
Geraldine Salazar
County Clerk, Santa Fe, NM

Henry P. Roybal
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

Date: December 8, 2015

To: Board of County Commissioners

From: Kathy Holian, County Commissioner

Via: Katherine Miller, County Manager

Re: **A Resolution in Support of New Mexico Grown Fresh Fruits and Vegetables for School Meals Program. (Commissioner Holian)**

ISSUE

On the agenda for your consideration is a resolution respectfully requesting that the New Mexico State Legislature appropriate \$1.44 million to support the purchase of locally grown fruits and vegetables for school lunches.

BACKGROUND

Studies show that fruits and vegetables enhance children's diets promoting healthier lifestyles and increasing academic achievement. By purchasing New Mexico-grown fresh fruits and vegetables schools across the state are providing high quality produce to students; and encouraging kids to eat fresh fruits and vegetables for the rest of their lives.

Selling fresh fruits and vegetables to schools helps strengthen New Mexico's farming economy and agricultural heritage by increasing market opportunities for small and mid-scale producers across the state. New Mexican farmers selling to schools have earned enough income to expand crop production, invest in infrastructure such as season extension and water conservation, and have stopped relying on farmers markets sales to make a living.

ACTION REQUESTED

Commissioner Holian seeks board approval for the resolution.

**THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY**

RESOLUTION NO. 2015-_____

**A RESOLUTION IN SUPPORT OF THE NEW MEXICO GROWN FRESH FRUIT AND
VEGETABLES FOR SCHOOL MEALS PROGRAM**

WHEREAS, 30.3% of kindergarteners and almost 39.0% of third graders in New Mexico are considered overweight or obese; and

WHEREAS, 342,902 children participate in the school lunch program operated by the various school meal or lunch programs throughout New Mexico of which more than 212,000 are eligible to participate in the free or reduced-price school meal programs; and

WHEREAS, the federal National School Lunch Program makes it possible for all school children in the United States to receive a nutritious lunch every school day; and

WHEREAS, local school meal programs will see increased costs of 25 to 75 cents per plate with a minimal federal increase of 6 cents reimbursement per meal; and

WHEREAS, the National School Lunch Program provides a reimbursement of \$2.86 for free lunches and \$2.46 for reduced-priced lunches; and

WHEREAS, the purchase of fruit and vegetables grown in New Mexico will improve the diet and health of school children and help school meal programs comply with new federal rules that require additional servings of fruits and vegetables in school meals; and

WHEREAS, there is an emerging agricultural sector in New Mexico comprised of small and medium sized fruit and vegetable farms that can respond to this new food "market" for local produce in school meal programs; and

WHEREAS, increased funding from the New Mexico State Legislature enables school meal programs and local school districts to purchase New Mexico grown produce, serve more fresh fruit and vegetables to our children for their health and well-being, and support economic development and opportunities for local farmers and agricultural businesses; and

WHEREAS, increased funding would assist our schools and farmers in the City of Santa Fe City and Santa Fe County.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Santa Fe County joins with New Mexico Food and Agriculture Policy Council, New Mexico School Nutrition Association, New Mexico agencies, the Santa Fe City and County Advisory Council on Food Policy, and other organization to request that the New Mexico State Legislature

appropriate \$1.44 million to support the New Mexico Grown Fresh Fruits and Fresh Vegetables for School Meals Program.

PASSED, APPROVED, AND ADOPTED THIS 8th day of December, 2015.

By: _____

Date: _____

Robert A. Anaya, Chair

Board of County Commissioners of Santa Fe County

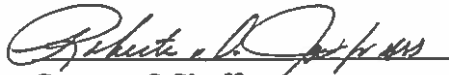
ATTESTATION:

Date: _____

Geraldine Salazar

Santa Fe County Clerk

Approved as to form:



Date: 11/25/15

Gregory S. Shaffer

Santa Fe County Attorney

